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June 10, 2016

The Honorable Mike Schmitz, Mayor
City of Dothan
Post Office Box 2128
Dothan, Alabama 36302

Dear Mayor Schmitz:

RE: City of Dothan Sanitary Landfill
Solid Waste Disposal Permit 35-06

As confirmed today in a telephone conversation between Mr. Jerry Corbin, Public Works Director for the City of Dothan and myself, the City's application to modify Solid Waste Disposal Permit 35-06 submitted to the Department on or about January 26, 2015, did not identify all adjacent landowners as required by ADEM Admin. Code r. 335-13-5-.02(1)(f). As a result, those adjacent landowners who were not identified in the permit application did not receive notice as required by ADEM Rule 335-13-5-.03(1)(b)2. The courts have held that failure to provide required notice renders a permit "null and void."

Accordingly, the Department hereby rescinds and revokes the issuance of modified Solid Waste Disposal Permit 35-06, dated January 8, 2016.

Should you have any questions, you may contact Mr. Eric Sanderson of the Solid Waste Branch at (334) 271-7755.

Sincerely,

Phillip D. Davis, Chief
Land Division

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